

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

TWENTY-FIRST DAY'S PROCEEDINGS

**Thirtieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 6, 2004

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

ABSENT

Total—0

The President of the Senate announced there were 39 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Carl Bailey, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Bajoie, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

May 6, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 341—

BY SENATORS CHAISSON AND SCHEDLER AND
REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 32:300(A), (B)(3)(b), (D) and (E) and to enact R.S. 32:300(F), relative to alcoholic beverages; to prohibit passengers in motor vehicles from possessing open alcoholic beverage containers; to prohibit such persons from consuming alcoholic beverages; to provide for exceptions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

May 6, 2004

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 41—

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 15:708(A)(1)(a), relative to work programs for prisoners; to authorize parish prisoners to participate in work activities in or upon the buildings, other improvements, or property of certain tax-exempt organizations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 838—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2025(E)(1)(a), relative to civil penalties for violations of the Environmental Quality Act; to increase the maximum civil penalty; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1011—

BY REPRESENTATIVE JOHNS

AN ACT

To repeal Section 2 of Act 1005 of the 2003 Regular Session, relative to the terms of options and rights of first refusal relating to the sale of immovable property; to repeal provisions of Act 1005 of the 2003 Regular Session providing for retroactive application to claims existing or actions pending; to provide for prospective application of Act 1005; to provide for applicability of this Act; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lentini, the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Senate Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 59—

BY SENATOR DARDENNE

A RESOLUTION

To express the condolences of the Senate of the Legislature of Louisiana upon the death of Joseph R. Armstrong.

On motion of Senator Dardenne, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 60—

BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Samuel Abdalla Elias, Jr.

On motion of Senator Kostelka, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 61—

BY SENATOR HINES

A RESOLUTION

To commend former Louisiana Senate Head Page Joey Mayeaux for his service to his state and his country.

On motion of Senator Hines, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 62—

BY SENATOR HINES

A RESOLUTION

To commend Louisiana Senate Head Page David Mayeaux for his service to his state and his country.

On motion of Senator Hines, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 63—

BY SENATOR HAINKEL

A RESOLUTION

To commend and congratulate Lloyd Lamar "Hank" Jones on the occasion of his eighty-eighth birthday and to recognize his extraordinary achievements throughout his life.

On motion of Senator Hainkel, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 64—

BY SENATOR HINES

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Filmore Paul "F.P." Bordelon, Jr., M.D.

On motion of Senator Hines, the resolution was read by title and adopted.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 6, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 50—

BY REPRESENTATIVE CROWE

AN ACT

To provide relative to speed limits; to require the Department of Transportation and Development to make a final decision regarding the maximum speed limit along certain interstate highways; and to provide for related matters.

HOUSE BILL NO. 344—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:215(A)(3)(introductory paragraph) and (g), 244, 245(A), and 246(introductory paragraph), (1), (4), (5), (6), and (7) and to enact R.S. 22:215(A)(3)(h), 246(10) and (11), and 246.1, relative to health insurance; to provide with respect to pilot health insurance programs established by the

Department of Insurance, including LaChoice; to provide for criteria for such pilot programs; and to provide for related matters.

HOUSE BILL NO. 654—

BY REPRESENTATIVES PIERRE AND DANIEL

AN ACT

To amend and reenact R.S. 30:706, relative to fees paid for the hazardous liquid pipeline program; to provide for review and revision of the annual inspection fee; and to provide for related matters.

HOUSE BILL NO. 1125—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 40:4.12, relative to sanitation; to provide for alternative methods of identification of potable and nonpotable water distribution equipment, piping, and outlets; to provide for a qualifying potable water distribution plan; and to provide for related matters.

HOUSE BILL NO. 77—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 15:255(A)(1) and (D)(1) and to enact R.S. 15:255(A)(4), relative to fees paid to off-duty law enforcement officers who are witnesses in criminal cases; to require the witness fees to only be paid from the specified fund; and to provide for related matters.

HOUSE BILL NO. 134—

BY REPRESENTATIVES BRUCE, MONTGOMERY, BURRELL, ROMERO, WHITE, AND WOOTON

AN ACT

To amend and reenact R.S. 15:283(A)(introductory paragraph), 440.2(A)(1) and (B), 440.4(A)(introductory paragraph) and (1) and (2), and 440.5(A)(introductory paragraph) and (6) and Children's Code Articles 322, 323(2), 324(A), 326(A)(introductory paragraph), 329(A)(introductory paragraph), 652(A)(4), and 1027(A)(4), relative to testimony of children; to authorize the taking of testimony outside of the courtroom from children fourteen years of age or younger in certain circumstances; to authorize the videotaped recollection of a statement from children fourteen years of age or younger in certain circumstances; to delete provisions restricting the use of closed circuit television and videotaped statements to children who have been sexually or physically abused; to provide with respect to the admissibility of videotaped statements; to provide with respect to definitions; and to provide for related matters.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 50—

BY REPRESENTATIVE CROWE

AN ACT

To provide relative to speed limits; to require the Department of Transportation and Development to make a final decision regarding the maximum speed limit along certain interstate highways; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 77—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 15:255(A)(1) and (D)(1) and to enact R.S. 15:255(A)(4), relative to fees paid to off-duty law enforcement officers who are witnesses in criminal cases; to require the witness fees to only be paid from the specified fund; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 134—

BY REPRESENTATIVES BRUCE, MONTGOMERY, BURRELL, ROMERO, WHITE, AND WOOTON

AN ACT

To amend and reenact R.S. 15:283(A)(introductory paragraph), 440.2(A)(1) and (B), 440.4(A)(introductory paragraph) and (1) and (2), and 440.5(A)(introductory paragraph) and (6) and Children's Code Articles 322, 323(2), 324(A), 326(A)(introductory paragraph), 329(A)(introductory paragraph), 652(A)(4), and 1027(A)(4), relative to testimony of children; to authorize the taking of testimony outside of the courtroom from children fourteen years of age or younger in certain circumstances; to authorize the videotaped recollection of a statement from children fourteen years of age or younger in certain circumstances; to delete provisions restricting the use of closed circuit television and videotaped statements to children who have been sexually or physically abused; to provide with respect to the admissibility of videotaped statements; to provide with respect to definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 344—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 22:215(A)(3)(introductory paragraph) and (g), 244, 245(A), and 246(introductory paragraph), (1), (4), (5), (6), and (7) and to enact R.S. 22:215(A)(3)(h), 246(10) and (11), and 246.1, relative to health insurance; to provide with respect to pilot health insurance programs established by the Department of Insurance, including LaChoice; to provide for criteria for such pilot programs; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 654—

BY REPRESENTATIVES PIERRE AND DANIEL

AN ACT

To amend and reenact R.S. 30:706, relative to fees paid for the hazardous liquid pipeline program; to provide for review and

revision of the annual inspection fee; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1125—
BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 40:4.12, relative to sanitation; to provide for alternative methods of identification of potable and nonpotable water distribution equipment, piping, and outlets; to provide for a qualifying potable water distribution plan; and to provide for related matters.

The bill was read by title; lies over under the rules.

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 487—
BY REPRESENTATIVES T. POWELL, SCALISE, AND SCHNEIDER
AN ACT

To enact R.S. 17:3048.1(X), to establish an additional means for certain students to qualify for a Tuition Opportunity Program for Students Opportunity, Performance, and Honors awards; to provide relative to award eligibility, applicability, limitations, effectiveness, and payment amounts; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 580—
BY REPRESENTATIVE DORSEY
AN ACT

To enact R.S. 46:2525.1, relative to violence against women; to create the Louisiana Task Force on Violent Crime Against Women; to provide for the membership and the duties of that task force; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 640—
BY REPRESENTATIVES M. GUILLORY, MARTINY, RICHMOND,
BADON AND BROOME
AN ACT

To enact R.S. 14:106.3, relative to offenses affecting the general peace and order; to create the crime of unlawful exhibition of sexually explicit material in a motor vehicle; to provide for penalties; to provide for definitions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 700—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1378(B), relative to the Second Injury Fund; to provide for clarification of the prescriptive period for filing notice; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 811—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 32:1510(A)(3), relative to hazardous materials transportation; to exempt oil transporters from reporting certain incidents to the office of state police; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 936—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 11:106(C)(introductory paragraph), relative to the Louisiana Assessors' Retirement Fund; to provide for the use of excess funds when the board of trustees increases the net direct employer contribution rate; to provide for a retroactive effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 1096—
BY REPRESENTATIVES TOOMY AND DOVE
AN ACT

To amend and reenact R.S. 33:1981(A) and to enact R.S. 33:1981(C)(3), relative to benefits payable to firemen killed in the line of duty; to provide for firefighting activities included within the scope and performance of official duties as a fireman; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1134—
BY REPRESENTATIVES JACKSON AND THOMPSON
AN ACT

To enact R.S. 33:9033.4, to provide with respect to tax increment financing within the parish of East Baton Rouge; to authorize the parish to issue revenue bonds payable from sales tax increments; to authorize the parish to issue revenue bonds payable from ad valorem tax increments; to authorize the parish to designate sales tax areas; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1329—

BY REPRESENTATIVES THOMPSON AND HAMMETT
AN ACT

To enact Subpart F-1 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:140.71 through 140.79, relative to railroads; to authorize two or more parishes to create a railroad development district; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1540—

BY REPRESENTATIVES KENNEY AND THOMPSON
AN ACT

To name the new Ouachita River bridge at Columbia the Governor John J. McKeithen Bridge; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1576—

BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact Code of Civil Procedure Articles 2951(A)(1) and 2953, to enact Code of Civil Procedure Article 2951(C) and (D), and to repeal Code of Civil Procedure Article 2953 as amended by Act No. 560 of the 1972 Regular Session, relative to successions; to provide relative to the submission of evidence that no inheritance taxes are due; to repeal duplicate article; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 1697 (Substitute for House Bill No. 153 by Representative Faucheux)

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:2586(C)(1) and to enact R.S. 13:2586(E), relative to jurisdiction of justice of the peace courts; to provide for certain parishwide jurisdiction in criminal matters; to provide for retention of original jurisdiction over certain judgments; to provide that a constable of the court has parishwide jurisdiction to enforce certain civil judgments; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 1698 (Substitute for House Bill No. 847 by Representative Hunter)—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 23:1378(A)(1), (2), (3), and (7), relative to the Second Injury Fund; to revise reimbursement provisions; to provide for prescriptive periods; to revise reserves on approved claims; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

Senator Holden, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

May 6, 2004

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

SENATE BILL NO. 488—

BY SENATOR HEITMEIER
AN ACT

To enact R.S. 23:1021(13), relative to workers' compensation; to provide with respect to definitions; to provide for to the definition of "owner operators" who provide transportation services; to exempt "owner operators" from being classified as employees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 671—

BY SENATOR HOLDEN
AN ACT

To enact R.S. 23:1032(D), relative to workers' compensation; to provide with respect to exclusivity of remedy; to provide for exceptions to civil immunity under workers' compensation law; to provide that workers' compensation exclusivity as a remedy shall not extend to an employer who knowingly and intentionally removes safety devices; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 672—

BY SENATOR HOLDEN
AN ACT

To enact R.S. 23:1032(D), relative to workers' compensation; to provide with respect to exclusivity of remedy; to provide for exceptions to civil immunity under workers' compensation law; to provide that workers' compensation exclusivity as a remedy shall not extend to injuries that could have been prevented by safety devices that have knowingly and intentionally been removed by the employer or principal; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MELVIN "KIP" HOLDEN
Chairman

REPORT OF COMMITTEE ON

EDUCATION

Senator Ullo, Chairman on behalf of the Committee on Education, submitted the following report:

May 6, 2004

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 49—
BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to develop a plan for the coordinated expansion of community colleges throughout the state which accounts for and includes the provision of educational services as well as the needed capital facility.

Reported with amendments.

SENATE BILL NO. 424—
BY SENATOR N. GAUTREAUX
AN ACT

To enact R.S. 17:3048.1(X), relative to the Louisiana Tuition Opportunity Program for Students; to provide for the eligibility of certain students to receive awards; to authorize the Louisiana Student Financial Assistance Commission, with assistance from the Board of Regents, to promulgate rules providing for eligibility; to establish a priority order of awards among students; to provide that the awards shall be funded from monies forfeited by students who failed to maintain continued eligibility; to provide for continued eligibility; to provide guidelines and limitations; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 473—
BY SENATOR DARDENNE
AN ACT

To enact R.S. 17:3048.5, relative to the Louisiana Tuition Opportunity Program for students; to establish the TOPS-Grad award; to provide for the eligibility of certain graduate or professional students to receive awards; to provide for award qualifications, amounts, and continuation; to provide for guidelines and limitations; to authorize the development of rules; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 534—
BY SENATOR IRONS
AN ACT

To enact R.S. 17:17.1, relative to physical fitness in schools; to establish and implement a pilot program consisting of a baseline assessment of the physical fitness of students; to provide for legislative intent and to provide for program purposes; to provide for program guidelines, requirements and procedures; to

provide for the application by city, parish, and other local public school boards to the State Board of Elementary and Secondary Education for program participation; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 700—
BY SENATOR IRONS
AN ACT

To amend and reenact R.S. 17:416.13(B)(1), the introductory paragraph of (B)(2), and (B)(3) and to enact R.S. 17:416.13(B)(2)(c) and (d) and 416.19, relative to the protection of students; to require certain inclusions in student hand books; to provide relative school policy; to provide for definitions; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 851—
BY SENATOR NEVERS
AN ACT

To enact R.S. 23:1514.1 relative to the establishment of a program of tuition assistance for students of Louisiana technical colleges and Louisiana community colleges; to provide for program eligibility and award limits; to provide for administration of the program; to provide for funding; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CHRIS ULLO
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Fields, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

May 6, 2004

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE BILL NO. 773—
BY SENATOR FIELDS
AN ACT

To enact R.S. 42:1111(A)(3), relative to the Code of Governmental Ethics; to provide relative to the payment of public servants from nonpublic sources; to provide for certain exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 784—
BY SENATOR JONES

AN ACT

To enact R.S. 33:9038.25, relative to special districts; to create the Southside Development District; to provide for the purpose and governance of the district; to provide for its rights and powers, including the authority to tax increment financing by the district; to provide for an effective date; and to provide for related matters.

Reported with amendments

SENATE BILL NO. 839—
BY SENATOR JACKSON

AN ACT

To enact R.S. 33:2740.38, and to repeal Act No. 573 of the 1975 Regular Session, Act No. 554 of the 1978 Regular Session, Act No. 411 of the 1980 Regular Session, Act No. 163 of the 1984 Regular Session, and Act No. 265 of the 2003 Regular Session, relative to the Shreveport Downtown Development District; to codify certain existing laws governing the creation and powers, duties, functions, and responsibilities of the Shreveport Downtown Development District; to provide for the composition and powers of the governing board; to provide for preparation of plans; to provide for the levy of ad valorem taxes and the issuance of bonds; to provide for an effective date; and to provide for related matters.

Reported with amendments

Respectfully submitted,
CLEO FIELDS
Chairman

REPORT OF COMMITTEE ON

NATURAL RESOURCES

Senator Malone, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

May 6, 2004

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

SENATE BILL NO. 308—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 49:214.27(B)(2), 214.30(C)(2) and (7), and 214.41(E), relative to coastal conservation, restoration, and management; to provide certain procedures and requirements; to provide relative to guidelines; to provide relative to applications for coastal use permits and to landowner notification; to provide relative to certain delegations of power by the secretary; to provide relative to options for mitigation of coastal wetland losses by the owner of the land on which a permitted activity is to occur; and to provide for related matters.

Reported with amendments

SENATE BILL NO. 695—
BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 31:149, and to repeal R.S. 31:149.1, 149.2, 149.3, 150, 151, and 152, relative to mineral rights in land acquired or expropriated by governments or governmental agencies; to provide certain procedures, terms, and conditions relative to such mineral rights; to provide relative to the prescription of nonuse; to repeal certain provisions; and to provide for related matters.

Reported with amendments

SENATE BILL NO. 842—
BY SENATOR ROMERO

AN ACT

To enact R.S. 48:35.1, relative to the Acadiana Gulf of Mexico Access Channel; to provide relative to duties of the Department of Transportation and Development; to provide relative to the Acadiana Gulf of Mexico Access Channel; to provide certain procedures, terms, and conditions; to authorize certain activities; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 168—

BY REPRESENTATIVES JACK SMITH, HUDSON, AND ST. GERMAIN AND SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 56:322.1(B), (D), and (F)(4), relative to use of shad seines for commercial taking of shad or skipjack; to authorize the taking of other freshwater commercial fish; to authorize use of such nets at night in specified locations; to authorize weekend fishing; to prohibit interference with commercial shipping; and to provide for related matters.

Reported with amendments

HOUSE BILL NO. 595—

BY REPRESENTATIVE JACK SMITH AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:646, relative to the Louisiana Sportsman's Paradise license; to provide relative to gear covered by the license; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 596—

BY REPRESENTATIVE JACK SMITH AND SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:305.3 and to enact R.S. 56:302.3(E), relative to recreational and commercial fishing gear licenses; to provide relative to temporary transfer of such licenses; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 597—

BY REPRESENTATIVES JACK SMITH AND FRITH AND SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:303.5 and 325.3(A)(1), relative to commercial fishing; to provide that all finfish found on board a

vessel operated by a person with a commercial fishing license are presumed to have been caught for commercial purposes; to provide relative to possession of spotted sea trout; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 598—

BY REPRESENTATIVE DARTEZ AND SENATORS DUPRE AND B. GAUTREAUX

AN ACT

To amend and reenact R.S. 56:322(C)(7), relative to fishing nets; to require unattended nets and trawls in saltwater areas to be tagged; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 600—

BY REPRESENTATIVES JACK SMITH AND PIERRE AND SENATORS B. GAUTREAUX AND MALONE

AN ACT

To enact R.S. 56:319.2, relative to exotic fish; to provide for the designation of fish as exotic; to provide for the taking of exotic fish; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 605—

BY REPRESENTATIVES FRITH AND PIERRE AND SENATOR B. GAUTREAUX

AN ACT

To repeal R.S. 56:306(B)(6), relative to wholesale/retail seafood dealers' licenses; to remove an exemption for restaurants from the requirement for the license; and to provide for related matters.

Reported favorably

HOUSE BILL NO. 609—

BY REPRESENTATIVES JACK SMITH AND PIERRE AND SENATORS B. GAUTREAUX AND MALONE

AN ACT

To amend and reenact R.S. 56:116(D) and 699.5(A), relative to youth hunting; to provide relative to the supervision of persons under the age of sixteen participating in hunting activities; and to provide for related matters.

Reported favorably

Respectfully submitted,
MAX T. MALONE
Chairman

D.A. "BUTCH" GAUTREAUX
Vice Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 11—

BY SENATOR THEUNISSEN

AN ACT

To enact Chapter 19 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:971 through 974, relative to the Louisiana Commission on Civic Education; to establish the commission; to provide for membership; to provide for purposes of the commission; to provide for funding; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 11 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 26, at the beginning of the line delete "president of the" and after "Voters" insert "of Louisiana"

AMENDMENT NO. 2

On page 2, after line 29, insert as follows:

"(16) One member to represent the Louisiana Center for Law and Civic Education, appointed by the president of its board of directors.

(17) One member to represent the Louisiana Association of Non-Profit Organizations, appointed by the chairman of the Louisiana Association of Non-Profit Organizations.

(18) One member to represent the Louisiana Chapter of the National Association for the Advancement of Colored People, appointed by the president of the Louisiana Chapter of the National Association for the Advancement of Colored People."

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 189—

BY SENATOR CHEEK

AN ACT

To enact R.S. 40:4.12, relative to public health and safety; to provide alternate procedures for identification of potable and nonpotable water distribution equipment, piping, and outlets at certain facilities; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 189 by Senator Cheek

AMENDMENT NO. 1

On page 1, line 17, change "section" to "Section"

AMENDMENT NO. 2

On page 2, between lines 6 and 7, insert the following:

- "(7) 211 (oil and gas extraction).
- (8) 486 (pipeline transportation).
- (9) 213111 (drilling oil and gas wells).
- (10) 213112 (support activities for oil and gas operations)."

AMENDMENT NO. 3

On page 2, line 16, at the end of the line change the semicolon";" to a period ".".

AMENDMENT NO. 4

On page 2, line 17, delete "Facilitates the identification of" and insert "Identifies"

AMENDMENT NO. 5

On page 2, line 18, delete "; and" and insert a period ".".

AMENDMENT NO. 6

On page 2, after line 29 insert the following:

"D. Facilities identified in Subsection A of this Section shall not be deemed in violation, past or present, of this Section or of any other law or regulation concerning color coding or labeling of piping, valves, branch fittings, branch terminals, and outlets conveying potable or nonpotable water until the plan is fully implemented. The plan should be fully implemented by July 1, 2006, unless a later date is agreed upon by the facility and the state health officer or his designee. The plan shall be maintained at the facility and made available for inspection upon request by the state health officer or his designee."

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 231—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 18:551(A), to enact Part IV of Chapter 3 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:195.1 through 195.3, and to enact R.S. 36:744(X), relative to constitutional amendment proposal propositions; to create and provide for the Constitutional Amendment Ballot Proposal Commission; to provide for the powers and duties of the commission; to provide for the preparation and use of certain election ballots; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 231 by Senator Schedler

AMENDMENT NO. 1

On page 2, between lines 17 and 18, insert the following: "(4) The chief executive officer of the Louisiana Public Affairs Research Council, Inc., or his designee."

AMENDMENT NO. 2

On page 2, line 18, change "(4)" to "(5)" and delete ", which"

AMENDMENT NO. 3

On page 2, delete line 19 and on line 20, delete "in excess of thirty-five thousand newspapers"

AMENDMENT NO. 4

On page 3, after line 28, insert the following: "Section 4. The provisions of this Act shall be effective on January 1, 2005."

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 235—

BY SENATORS MCPHERSON, HINES, SCHEDLER, BARHAM AND JONES AND REPRESENTATIVES DURAND, THOMPSON AND SALTER

AN ACT

To amend and reenact R.S. 36:801.1 and to enact R.S. 36:259(J) and Chapter 34 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2841 through 2846, relative to the Louisiana Emergency Response Network (LERN); to provide for statement of purpose; to provide for definitions; to provide for the creation of the Louisiana Emergency Response Network; to provide for the board and its membership, appointments, terms of office, vacancies, meetings, compensation, functions, powers, and duties; to provide for rules and regulations; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 235 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 16, after "Response" insert "Network"

AMENDMENT NO. 2

On page 3, line 14, delete "will" and insert "shall"

AMENDMENT NO. 3

On page 3, line 16, delete "will" and insert "shall"

AMENDMENT NO. 4

On page 3, line 25, delete "seventeen" and insert "twenty"

AMENDMENT NO. 5

On page 4, delete lines 6 and 7 and insert the following:

"(5) Two members from nominees submitted by the Department of Health and Hospitals, which shall include a member from the office of mental health."

AMENDMENT NO. 6

On page 4, delete lines 10 and 11 and insert the following:

"(7) Two members from nominees submitted by the Louisiana State Medical Society, which shall include a member specializing in pediatric surgery."

AMENDMENT NO. 7

On page 4, between lines 23 and 24, insert the following:

"(14) One member from nominees submitted by the Louisiana State Coroner's Association."

AMENDMENT NO. 8

On page 4, line 24, delete "(14)" and insert "(15)"

AMENDMENT NO. 9

On page 4, line 25, delete "(15)" and insert "(16)"

AMENDMENT NO. 10

On page 4, line 26, delete "(13)" and insert "(14)"

AMENDMENT NO. 11

On page 4, line 29, delete "(13)" and insert "(14)"

AMENDMENT NO. 12

On page 5, line 3, delete "(14) and (15)" and insert "(15) and (16)"

AMENDMENT NO. 13

On page 5, delete lines 9 through 11 and insert the following:

- "(1) Six shall serve until July 1, 2005.
- (2) Seven shall serve until July 1, 2006.
- (3) Seven shall serve until July 1, 2007."

AMENDMENT NO. 14

On page 6, line 7, delete "post acute" and insert "post-acute"

AMENDMENT NO. 15

On page 7, line 7, delete "chapter" and insert "component society"

AMENDMENT NO. 16

On page 7, line 16, delete "person or persons" and insert "individual or individuals"

AMENDMENT NO. 17

On page 7, line 19, delete "persons" and insert "individuals"

AMENDMENT NO. 18

On page 8, line 2, delete "contracts of every nature" and insert "any contract"

AMENDMENT NO. 19

On page 8, between lines 9 and 10, insert the following:

"(4) Shall apply for all appropriate available public, state or federal monies and all appropriate available private grants, donations, or gifts of money or services from any available source."

AMENDMENT NO. 20

On page 8, line 29, after "advice" insert ", information, and assistance"

AMENDMENT NO. 21

On page 9, between lines 1 and 2, insert the following:

"Section 3. This Act shall hereafter be referred to as the "Heather, Skylar, and Ellie Law" in memory of Heather Greer, Skylar Jarreau, Ellie Waring, and other trauma victims."

AMENDMENT NO. 22

On page 9, line 2, delete "3" and insert "4"

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 249—

BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 46:1792(A), (B)(1), and (B)(2), relative to subsidy for adopted children; to clarify the requirements of Title IV-E redetermination cases; to bring state law in compliance with the federal Adoptions and Safe Families Act; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. On motion of Senator McPherson, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 275—

BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 17:1519.3(C), relative to the Louisiana State University Health Sciences Center-New Orleans; to provide with respect to the reduction or elimination of services at any division hospital; to provide for mandatory approval of the Senate and House committees on health and welfare prior to such reduction or elimination; to provide for specific information to be supplied to the committees; to continue to provide for funding from a variety of sources for the hospitals in the division; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 275 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "amend and reenact R.S. 17:1519.3(C)" and insert "enact R.S. 17:1519.3(E), (F), and (G)"

AMENDMENT NO. 2

On page 1, delete lines 3 through 8 and insert the following:

"Sciences Center-New Orleans; to provide with respect to reports to be submitted to the Senate and House committees on health and welfare; to provide for specific information and reports to be supplied to the committees; and to provide for related matters."

AMENDMENT NO. 3

On page 1, delete line 10 and insert "Section 1. R.S. 17:1519.3 (E), (F), and (G) are hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1 delete lines 14 through 17, and on page 2, delete lines 1 through 21 and insert the following:

"R.S. 17:1519.3(E) is all proposed new law.

E. Louisiana State University Health Sciences Center-New Orleans shall furnish to the Senate and House committees on health and welfare the same reports that are prepared quarterly and

submitted to the Joint Legislative Committee on the Budget. Such reports shall be submitted at the same time that they are made available to the Joint Legislative Committee on the Budget.

R.S. 17:1519.3(F) is all proposed new law.

F. Louisiana State University Health Sciences Center-New Orleans shall furnish to the Senate and House committees on health and welfare the same reports that are furnished to the Louisiana State University Board of Supervisors. Such report shall be submitted at the same time that they are made available to the Board of Supervisors. Such reports shall include, but not be limited to, a fiscal year overview and any planned reductions at division hospitals.

R.S. 17:1519.3(G) is all proposed new law.

G. Louisiana State University Health Sciences Center-New Orleans shall furnish to the Senate and House committees on health and welfare quarterly reports, individually by hospital, on the length of time that patients wait for services provided by the division hospitals."

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 334—
BY SENATOR HAINKEL**

AN ACT

To enact R.S. 22:230.6, relative to health insurance; to authorize health plans to offer mandate-free coverage to individuals and small groups on an optional basis; provides that health plans continue offering coverage that includes all mandates; provides that health plans offering mandate-free coverage disclose benefits not included at the time of application; and to provide for related matters.

Reported favorably by the Committee on Insurance. On motion of Senator Cain, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 369—
BY SENATOR NEVERS**

AN ACT

To amend and reenact R.S. 38:2212(K); relative to public works contracts; to require bidders of state contracts to provide employees health benefits; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 369 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete line 3 in its entirety and insert in lieu thereof the following: "enact R.S. 38:2225(A), relative to health insurance on construction contracts; to require bidders on construction contracts to offer insurance coverage to employees and their dependents; to provide incentives for contractors to maintain such coverage; and to provide for related"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." delete the remainder of the line and insert the following:

"R.S. 38:2225(A) is hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 1, delete lines 7 through 16 in their entirety and insert in lieu thereof the following:

"§2225. Preference in letting contracts for public work;
employee and dependent health insurance coverage

R.S. 38:2225(A) is all proposed new law.

A.(1) In the letting of any contract for the construction of a public work, each contractor who offers health insurance coverage as provided in this Subsection shall be given a preference as provided in this Subsection.

(2) For each full-time employee, each contractor, whether a general contractor or a subcontractor under the contract, shall pay not less than seventy-five percent of the total premium for health insurance coverage for each full-time employee who chooses to participate and shall pay not less than fifty percent of the total premium for health insurance coverage for each dependent of the full-time employee who elects to participate in dependent coverage. Health insurance coverage required under this Subsection shall be provided for at least the duration of activities under the contract.

(3) If a contractor who provides health insurance as provided in Paragraph (2) of this Subsection submits a bid that is within five percent of a competing bid by another contractor and the other contractor does not offer health insurance to his employees as provided in Paragraph (2) of this Subsection, the public entity awarding the contract shall award the contract to the contractor who provides health insurance as provided in this Subsection.

(4) Each contractor shall submit proof of health insurance coverage to the awarding entity along with all of the material required under this Chapter.

* * *

On motion of Senator Cain, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 411—
BY SENATOR BAJOE**

AN ACT

To amend and reenact R.S. 46:1403(A)(2) and 1404, relative to child care facilities and child-placing agencies; to clarify the law regarding mandated licensure of child-placing agencies; to include an adoption agency within the definition of "child-placing agency"; to provide for retroactive application; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. On motion of Senator McPherson, the bill was read by title, ordered engrossed, and passed to a third reading.

**SENATE BILL NO. 469—
BY SENATOR DARDENNE**

AN ACT

To amend and reenact R.S. 18:467, to provide relative to qualifying for primary elections; to increase the time period from qualifying to election; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Jones, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 636—
BY SENATOR MCPHERSON

AN ACT

To repeal R.S. 42:1123(19), relative to the Code of Governmental Ethics, to repeal the exception to allow commission members from obtaining oyster leases while serving on the Louisiana Wildlife and Fisheries Commission; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 636 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "To" change "repeal" to "amend and reenact" and after "to" change "repeal" to "provide with regard to"

AMENDMENT NO. 2

On page 1, line 7, change "repealed" to "amended and reenacted to read as follows:"

AMENDMENT NO. 3

On page 1, after line 7, insert the following:

"§ 1123. Exceptions

This Part shall not preclude:

* * *

(19) Any member of the Louisiana Wildlife and Fisheries Commission from holding or obtaining a renewal of oyster leases with the state, personally or through legal entities in which he has ownership interests, even though such leases are subject to the supervision and jurisdiction of the commission, provided that ~~such~~ **the** member shall ~~be disqualified himself~~ **disqualified by the commission** from participating in any transaction involving the said oyster leases."

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 645—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:961(7), (8), (9), (10), (13), (14), (15), (20), (21), (24), (27), (32), (34), and (38), to enact R.S. 40:961(39), (40) and (41), and to rename Part X of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, relative to uniform controlled substances law; to provide for changes in definitions to conform with federal law; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 645 by Senator Hines

AMENDMENT NO. 1

On page 1, line 12 delete "~~DANGEROUS~~" and insert "DANGEROUS"

AMENDMENT NO. 2

On page 2, line 1, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 3

On page 2, line 5, after "**controlled**" insert "**dangerous**"

AMENDMENT NO. 4

On page 2, line 9, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 5

On page 2, line 24, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 6

On page 2, line 25, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 7

On page 3, line 2, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 8

On page 3, line 5, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 9

On page 3, line 9, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 10

On page 3, line 13, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 11

On page 3, line 16, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 12

On page 3, line 25, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 13

On page 4, line 4, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 14

On page 4, line 7, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 15

On page 4, line 15, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 16

On page 4, line 20, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 17

On page 4, line 23, delete "~~dangerous~~" and insert "dangerous"

AMENDMENT NO. 18

On page 4, line 29, after "**controlled**" insert "**dangerous**"

AMENDMENT NO. 19

On page 5, line 4, after "Controlled" insert "dangerous"

AMENDMENT NO. 20

On page 5, line 6, after "Controlled" insert "dangerous"

AMENDMENT NO. 21

On page 5, line 7, after "controlled" insert "dangerous"

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 658—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 39:12(C), relative to the commissioner of administration; to require the commissioner of administration to adopt certain rules and regulations; to prohibit any agency from selling certain personal information; to provide for exceptions; to provide for notice; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Jones, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 662—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 40:964(Schedule III)(D)(3) and (4), relative to classification of controlled dangerous substances; to substitute hydrocodone for dihydrocodeinone as a Schedule III controlled dangerous substance; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. On motion of Senator McPherson, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 730—

BY SENATOR DUPRE

AN ACT

To enact R.S. 17:3390(F), relative to private nonprofit corporations which support public higher education institutions; to provide relative to records of certain payments by such organizations to employees of postsecondary institutions or employees or officers of certain boards; to provide for the application of public records laws; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 730 by Senator Dupre

AMENDMENT NO. 1

On page 1, delete lines 13 through 17 and on page 2, delete lines 1 through 5 and insert the following:

"F. Notwithstanding any other provision of this Section or of other law to the contrary, records of single transactions involving

payments of over one thousand dollars for, to or on behalf of, or to reimburse the expense of a public employee of a public higher education institution or a public employee or officer of a management board of a public higher education institution by a nonprofit organization shall be approved in writing by the appropriate public higher education institution or management board or their designees in accordance with written policies and procedures. All approvals and all documents provided to a higher education institution or management board or their designees in connection with such approvals, including all documents provided by a nonprofit organization in connection with such approvals, shall be retained by the public higher education institution or public higher education management board and shall be subject to inspection, examination, copying, and reproduction in accordance with the provisions of R.S. 44:1 et seq."

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 795—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 42:1111(A)(3), relative to the Code of Governmental Ethics; to provide an exception to the prohibition on the receipt of payment for governmental services by a public servant from a nongovernmental source; to provide relative to the requirements of such exception; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 795 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 13, after "center" delete the "and" and delete lines 14 and 15 and insert "pursuant to the approval of the board of directors for use as provided in R.S."

AMENDMENT NO. 2

On page 2, line 1, after "Subsection as" delete the remainder of the line and insert "a supplement to his compensation"

AMENDMENT NO. 3

On page 2, line 2, after "entitled." insert "Such a supplement shall not, however, be considered as regular compensation from his governmental employer nor shall it form any basis for governmentally supported benefits."

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 802—

BY SENATORS MOUNT AND THEUNISSEN AND
REPRESENTATIVES FLAVIN, GEYMAN, E. GUILLORY, JOHNS
AND MORRISH

AN ACT

To amend and reenact R.S. 27:96(A), relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide with respect to prohibited acts and gaming offenses on riverboats; to provide that an elected public official can engage in business activities with a riverboat gaming licensee as a non-key gaming employee under certain circumstances; to provide for notification requirements; to provide for the adoption of rules; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Jones, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 821—

BY SENATOR BAJOE

AN ACT

To enact R.S. 36:259(II) and 919.7 and Chapter 46-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2616 through 2618, relative to diabetes; to create the Louisiana Diabetes Initiatives Council in the Department of Health and Hospitals; to provide for the membership, powers, and duties of the board; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 821 by Senator Bajoie

AMENDMENT NO. 1

On page 4, delete lines 8 and 9

AMENDMENT NO. 2

On page 4, line 10, change "(12)" to "(10)"

AMENDMENT NO. 3

On page 4, line 13, change "(13)" to "(11)"

AMENDMENT NO. 4

On page 4, line 14, change "(14)" to "(12)"

AMENDMENT NO. 5

On page 4, line 15, change "(15)" to "(13)"

AMENDMENT NO. 6

On page 4, line 16, change "(16)" to "(14)"

AMENDMENT NO. 7

On page 4, line 17, change "(17)" to "(15)"

AMENDMENT NO. 8

On page 4, line 19, change "(18)" to "(16)"

AMENDMENT NO. 9

On page 4, line 21, change "(19)" to "(17)"

AMENDMENT NO. 10

On page 4, line 22, change "(20)" to "(18)"

AMENDMENT NO. 11

On page 4, line 24, change "(21)" to "(19)"

AMENDMENT NO. 12

On page 4, line 25, change "(22)" to "(20)"

AMENDMENT NO. 13

On page 4, line 26, change "(23)" to "(21)"

AMENDMENT NO. 14

On page 4, line 28, change "(24)" to "(22)"

AMENDMENT NO. 15

On page 4, line 29, change "(25)" to "(23)"

AMENDMENT NO. 16

On page 5, line 1, change "(26)" to "(24)"

AMENDMENT NO. 17

On page 5, line 2, insert the following:

"(25) A representative of the Louisiana Diabetes Advisory Council.

(26) A representative of the American Diabetes Association.

(27) A representative of the Juvenile Diabetes Research Foundation.

(28) A representative of the Independent Pharmacy Association.

(29) A representative of the Diabetes Center of the Baton Rouge General Medical Center."

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 863—

BY SENATOR JACKSON

AN ACT

To enact Part VIII of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:405.5, relative to smoke-free zones; to provide for the establishment of such zones in certain locations; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 863 by Senator Jackson

AMENDMENT NO. 1

On page 1, delete lines 15 and 16

AMENDMENT NO. 2

On page 1, line 17, change "(c)" to "(b)"

AMENDMENT NO. 3

On page 2, line 1, change "(d)" to "(c)"

AMENDMENT NO. 4

On page 2, line 3, change "(e)" to "(d)"

AMENDMENT NO. 5

On page 2, delete lines 4 and 5

AMENDMENT NO. 6

On page 2, delete lines 7 and 8 and insert "elementary or secondary school."

AMENDMENT NO. 7

On page 2, line 26, after "Education," delete the remainder of the line and on line 27 delete "with the approval of the Board of Regents,"

AMENDMENT NO. 8

On page 3, delete line 2 and insert "and that a violation"

AMENDMENT NO. 9

On page 3, line 6, after "or" and before "any" insert "to use"

AMENDMENT NO. 10

On page 3, line 7, after "other" delete "matter" and insert "tobacco products"

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 865—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:1071 and to enact R.S. 46:1076.1, relative to hospital service districts; to provide for findings; to provide with respect to joint bargaining and contracting, including immunity from certain antitrust provisions; to provide for applicability; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 865 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 3 after "services." insert "However, such integration shall be limited to entities within the same Department of Health and Hospitals region in which the service district hospital is located."

On motion of Senator McPherson, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE BILL NO. 312—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 9:3530(C)(4), relative to the Louisiana Consumer Credit Law; to provide for an alternative documentation fee that a lender may charge in connection with certain non-real estate consumer loans; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 317—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:243(B)(2), relative to immovable property held by state banks; to revise the procedure for appraisal of such property; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 329—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:312(A) and 765(B) and to repeal R.S. 6:325(E) and 768(E), relative to financial institutions; to delete certain obsolete provisions relating to state inheritance taxes; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 398—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:636(A)(introductory paragraph) and (2), relative to cancellation of insurance policies; to define "delivered" for purposes of notice of cancellation; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 401—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 9:3144(A)(3) and (B)(1), relative to the New Home Warranty Act; to reduce the warranty period for certain major structural defects; to clarify the warranty exclusion for trees; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 423—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 22:1430.14(A), relative to the FAIR and Coastal plans; to provide for audited statements; to provide for reporting requirements; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 517—

BY REPRESENTATIVE JOHNS
AN ACT

To enact Subpart B-1 of Part XXX of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1441 through 1441.26, relative to the residual property insurance market; to provide for Louisiana Citizens Property Insurance Corporation; to provide for legislative intent and purpose; to provide for interpretation of laws; to provide for servicing of policies; to provide for the Coastal Plan; to provide for the FAIR Plan; to provide for the governance and administration; and to otherwise provide with respect thereto.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 530—

BY REPRESENTATIVES LANCASTER, BROOME, HAMMETT, AND
SALTER

AN ACT

To amend and reenact R.S. 18:1505.2(A), relative to the Campaign Finance Disclosure Act; to provide for penalties for violations of provisions of the Campaign Finance Disclosure Act that prohibit contributions in the name of another; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 530 by Representative Lancaster

AMENDMENT NO. 1

On page 1, delete lines 17 through 19 and on page 2, delete lines 1 and 2 and insert the following:

"(2)(a) Any person who violates the provisions of this Subsection unknowingly shall be assessed a penalty equal to the amount of the contribution plus ten percent.

(b)(i) Any person who violates the provisions of this Subsection knowingly and willfully shall be assessed a penalty equal to twice the amount of the contribution.

(ii) "Knowing and willful" for the purposes of this Subsection means conduct which could have been avoided through the exercise of due diligence."

On motion of Senator Jones, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of

the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 752—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 22:1430.1(12), relative to the Louisiana Citizens Property Insurance Corporations; to provide for farmowners' multiperil insurance; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1051—

BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 22:1386(A) and (B), relative to the Louisiana Insurance Guaranty Association; to provide for claims against insurers; to provide for asbestos claims; to provide for environmental pollutant claims; to provide for procedures; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 1051 by Representative Farrar

AMENDMENT NO. 1

On page 2, line 19, between "Louisiana" and "or" insert "at the time of the exposure"

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1052—

BY REPRESENTATIVE FARRAR
AN ACT

To amend and reenact R.S. 22:1379(3)(f) and 1382(A)(3)(f) and (D), and to repeal R.S. 22:1382(A)(3)(f), relative to the Louisiana Insurance Guaranty Association; to provide for covered claims; to provide for net worth; and to provide for related matters.

Reported favorably by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1072—

BY REPRESENTATIVES MURRAY AND DURAND
AN ACT

To amend and reenact R.S. 46:230.1(A) and (C), 231(14), 231.6(B), 231.7(A)(1)(introductory paragraph), (B)(2)(introductory paragraph) and (3), and (D)(1), and 231.8(B), relative to TANF; to provide for coordination between the Louisiana Workforce Commission and the Department of Social Services; to provide for collaboration in relation to the STEP program; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1126—

BY REPRESENTATIVES MURRAY, BROOME, HAMMETT, LANCASTER, AND SALTER

AN ACT

To amend and reenact R.S. 18:1501.1, relative to forty-eight hour requirements for reporting independent expenditures prior to an election; to require certain persons who make independent expenditures or accept contributions other than to or from a candidate or a political committee to report such contributions or expenditures to the supervisory committee; to provide for the time and manner of such reports; to provide for the amounts of the contributions or expenditures which require such reporting; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1167—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 51:1256(B)(2)(introductory paragraph), (3)(introductory paragraph), and (4), (E), and (G) and 1284(A)(introductory paragraph) and (B) and to repeal R.S. 51:1256(F), relative to the Louisiana Tourism Development Commission and the board of directors of the Louisiana Tourism Promotion District; to provide for appointment and time of service of members; to provide relative to officers; to provide relative to confirmation; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 1167 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 3 after "(introductory paragraph)" delete the remainder of the line and on line 4 delete "to repeal R.S. 51:1256(F)" and insert "and 1286(C)(1)(b) and (c), and (3)"

AMENDMENT NO. 2

On page 1, line 10 after "(introductory paragraph)" delete "and (B)" and insert "and 1286(C)(1)(b) and (c), and (3)"

AMENDMENT NO. 3

On page 1, line 15 between "members" and the period "." insert "reflective of the state's population as near as practicable"

AMENDMENT NO. 4

On page 2, line 18 after "by the" delete "lieutenant" and after "governor" insert ", who are reflective of the state's population"

AMENDMENT NO. 5

On page 2, delete lines 20 through 28 in their entirety and insert the following:

"§1286. Sales and use tax

* * *

C.(1) The proceeds of the tax herein authorized, not to exceed seventeen million five hundred thousand dollars annually, shall be irrevocably pledged and dedicated for the following purposes and in the following order of priority:

* * *

(b) To transfer such amounts ~~as may be determined by~~ from the district to the Department of Culture, Recreation and Tourism for the promotion of the state's tourism industry through the purchase of out-of-state media advertisement, including but not limited to newspaper, magazine, billboard, radio, and television advertisement outside the state of Louisiana.

(c) To transfer such amounts ~~as may be determined by~~ from the district to the Department of Culture, Recreation and Tourism to assist the state in the promotion of tourism, provided no funds shall be transferred for the purchase of in-state media advertisement.

* * *

(3) Any expenditure of funds by the Department of Culture, Recreation, and Tourism from amounts transferred ~~by~~ from the district in accordance with Paragraphs (1) and (2) of this Subsection shall be by annual appropriation by the legislature and shall be consistent with the tourism master plan as provided in R.S. 51:1261.

* * *

AMENDMENT NO. 6

On page 3, delete lines 1 through 4 in their entirety.

On motion of Senator Hollis, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1246—

BY REPRESENTATIVES LAFLEUR, CAZAYOUX, BALDONE, K. CARTER, DOWNS, ERDEY, FAUCHEUX, FLAVIN, GALLOT, HAMMETT, LANCASTER, PITRE, GARY SMITH, JACK SMITH, STRAIN, THOMPSON, TOWNSEND, AND WALSWORTH

AN ACT

To amend and reenact R.S. 42:1132(D), 1134(N), and 1157(A)(1) and (3) and to enact R.S. 24:55(G) and Part IV of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:71 through 78, relative to the regulation of lobbying; to provide for the regulation of lobbying in state government; to provide for the reporting of certain expenditures by principals and employers of lobbyists; to provide for lobbying of the executive branch; to provide for definitions; to provide for registration, reporting, and disclosure; to provide for administration and enforcement; to provide for penalties; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1397—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 51:1257(B) and 1286(C)(3) and to repeal R.S. 51:1260, 1261, and 1271 through 1276, relative to the office of tourism and the Louisiana Tourism Development Commission; to repeal the requirement for submittal of an annual report; to repeal the requirement of formulation of a master plan for tourism development; to repeal the Act 455 Matching Funds Program; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection and International Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Reconsideration

On motion of Senator Dardenne, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 5, 2004 was reconsidered.

SENATE BILL NO. 220—

BY SENATORS DARDENNE, ULLO, BARHAM, BOASSO, BOISSIERE, CRAVINS, DUPRE, B. GAUTREAUX, HAINKEL, MCPHERSON, MICHOT, ROMERO AND SCHEDLER

AN ACT

To enact R.S. 17:24.11, relative to programs of early childhood education; to establish and provide for a program of early childhood education provided by state-approved nonpublic schools at no cost to certain eligible students; to provide for the participation of schools; to provide for the eligibility and selection of students; to provide for administration of the program; to mandate participating schools meet certain requirements; to provide with regard to funding; to provide with regard to compliance; and to provide for related matters.

On motion of Senator Dardenne, the bill was read by title and returned to the Calendar, subject to call.

Reconsideration

On motion of Senator Jones, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 5, 2004 was reconsidered.

SENATE BILL NO. 432—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1141(B) and 1143(B)(1), relative to workers' compensation; to provide with respect to attorney fees in workers' compensation matters; and to provide for related matters.

On motion of Senator Jones, the bill was read by title and returned to the Calendar, subject to call.

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees**

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To recreate the Task Force on Regional and Local Economic Development to review industry attraction, expansion, and retention initiatives at the local and regional levels and to determine appropriate funding levels and revenue sources.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Concurrent Resolution No. 6 by Senator Schedler

AMENDMENT NO. 1

On page 3, between lines 23 and 24, insert the following:

"(48) The Louisiana Center Against Poverty.

(49) The Northeast Louisiana Economic Development District.

(50) The LaSalle Parish Economic Development District.

(51) The Franklin Parish Economic Development District.

(52) The Caldwell Parish Economic Development District."

AMENDMENT NO. 2

On page 4, line 9, after "governor," insert: "and the secretary of the Department of Economic Development.

BE IT FURTHER RESOLVED that the secretary of the Department of Economic Development is requested to transmit a copy to"

On motion of Senator Jones, the committee amendment was adopted.

The resolution was read by title. Senator Schedler moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	McPherson
Bajoie	Gautreaux, B	Mount
Barham	Gautreaux, N	Nevers
Boasso	Hainkel	Romero
Boissiere	Heitmeier	Schedler
Cain	Holden	Smith
Chaisson	Hollis	Theunissen
Cravins	Irons	Ullo

Dardenne
Duplessis
Total—34

Jones
Kostelka

NAYS

Total—0

ABSENT

Cheek
Fontenot
Total—5

Jackson
Marionneaux

Michot

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and sent to the House.

Senate Concurrent Resolutions on Third Reading and Final Passage

The following Senate Concurrent Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 66— BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To recognize the Boeuf River Band of Cherokees as an Indian tribe of Louisiana.

On motion of Senator Ellington, the bill was read by title and returned to the Calendar, subject to call.

Rules Suspended

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of advancing to the order of

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Bajoie asked that Senate Bill No. 654 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 654— BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 46:231.6(A)(1), (B), (C), and (D), 231.7, 231.8, 231.11 and 460.5, relative to FITAP eligibility and earned income disregards; to provide for a sixty-month limit of eligibility for benefits; to provide for earned income disregards; to provide for initial transitional assessments; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 654 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 3, following "460.5," and before "relative" insert "and to repeal R.S. 46:231.6 (E),"

AMENDMENT NO. 2

On page 1, lines 2 and 7, following "(C), and" and before "231.11" change "(D), 231.7, 231.8," to "(D) introductory paragraph), 231.7 (A) (3) (a) and (D) (1), 231.8 (A) (2),"

AMENDMENT NO. 3

On page 7, lines 1 and 2, change "for in Paragraph (1) of this Subsection," to "in Subsection A of this Section"

AMENDMENT NO. 4

On page 7, line 3, following line 2, insert "Section 2. R. S. 46:231.6 (E) is hereby repealed."

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 654 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 9, delete "sixty-month" and insert "twenty-four month"

AMENDMENT NO. 2

On page 1, lines 14 and 15, delete "sixty-months" and insert "twenty-four months"

AMENDMENT NO. 3

On page 1, line 15, after "not," insert "out of the previous sixty months"

AMENDMENT NO. 4

On page 2, delete lines 1 through 3 and insert the following: "B. The provisions of this Section shall not apply to a permanently incapacitated or disabled individual, as documented, or to such an individual in the recipient's household. **C. All work-eligible families receiving FITAP benefits will**"

AMENDMENT NO. 5

On page 2, line 16, delete "C." and insert "D."

AMENDMENT NO. 6

On page 2, delete lines 17 through 19 and insert the following: "providing exceptions to the time limitations of this Section **to the extent funds are available**. In promulgating rules and regulations, in accordance with the Administrative Procedure Act, the secretary shall address circumstances."

AMENDMENT NO. 7

On page 2, delete lines 20 through 22 and insert the following: "(1) Where the individual **maintains compliance with the STEP Family Success Agreement pursuant to R.S. 46:231.7**"

AMENDMENT NO. 8

On page 2, delete lines 23 through 29 and insert
 "* * *"

AMENDMENT NO. 9

On page 3, line 2, delete "D." and insert "E"

AMENDMENT NO. 10

On page 3, delete lines 3 and 4 and insert the following: "~~assistance, or participants that~~ **participants that are within six months of an expected transition from cash assistance, for reasons other than noncompliance with program requirements, or who** have sustained unsubsidized"

AMENDMENT NO. 11

On page 3, delete line 23

AMENDMENT NO. 12

On page 4, delete line 5 and insert the following:
"(a) Notification of the twenty-four-month limit time **and the federal lifetime limit** on assistance, **conditioned upon compliance with the Family Success Agreement**."

AMENDMENT NO. 13

On page 4, delete line 11 and insert the following: "shall be informed that this time is counted against their twenty-four-month limit **and the federal lifetime limit**"

AMENDMENT NO. 14

On page 4, delete lines 19 and 20 and insert the following: "**who are within six months of an expected transition from cash assistance, for reasons other than noncompliance with program requirements**, whichever is earlier. The Transitional Assessment Plan shall"

AMENDMENT NO. 15

On page 5, delete lines 6 and 7 and insert the following: "earnings disregard or **who are within six months of an expected transition from cash assistance, for reasons other than noncompliance with program requirements**, whichever is"

AMENDMENT NO. 16

On page 5, delete lines 26 through 28 and on page 6, delete line 1 and insert the following: "~~Against the sixty-month lifetime limit on receiving TANF assistance.~~

C. Months in which a recipient receives the statutory earned income disregard pursuant to ~~Paragraph (1)~~ **Subsection A** of this ~~Subsection~~ **Section** shall not count toward the state twenty-four month limit provided in R.S. 46:231.6(A)(1)."

AMENDMENT NO. 17

On page 6, line 2, delete "C." and "D."

AMENDMENT NO. 18

On page 6, line 28, delete "(D)" and insert "(E)"

AMENDMENT NO. 19

On page 6, line 29, delete "D." and insert "E"

AMENDMENT NO. 20

On page 7, line 1, delete "Paragraph (1)" and insert "Subsection A"

On motion of Senator Bajoie, the amendments were adopted.

The bill was read by title. Senator Bajoie moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jackson
Adley	Dupre	Jones
Amedee	Ellington	Lentini
Bajoie	Fields	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Ullo
Cravins	Irons	
Total—29		

NAYS

Barham	Hainkel	Michot
Dardenne	Kostelka	Theunissen
Fontenot	Malone	
Total—8		

ABSENT

Schedler	Smith
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Hollis asked that Senate Bill No. 768 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 768—
BY SENATOR HOLLIS

AN ACT

To enact R.S. 6:966.1, relative to additional default remedies; to provide for a notice of repossession; to provide for contents; to provide for fees; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Hainkel	Smith
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Jones asked that Senate Bill No. 432 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 432— BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1141(B) and 1143(B)(1), relative to workers' compensation; to provide with respect to attorney fees in workers' compensation matters; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Kostelka
Amedee	Fields	Lentini
Barham	Fontenot	Marionneaux
Boissiere	Gautreaux, B	McPherson

Cain	Gautreaux, N	Michot
Chaisson	Heitmeier	Mount
Cheek	Holden	Nevers
Cravins	Irons	Schedler
Duplessis	Jackson	Ullo
Dupre	Jones	
Total—29		

NAYS

Boasso	Hollis	Theunissen
Dardenne	Malone	
Hainkel	Romero	
Total—7		

ABSENT

Adley	Bajoie	Smith
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Regular Order of the Day Resumed

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 60— BY SENATOR FIELDS

AN ACT

To enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:743 through 749, R.S. 15:1225, and R.S. 36:4(B)(1)(r), relative to wrongfully incarcerated prisoners; to create the Wrongfully Incarcerated Compensation Board; to provide for definitions; to place such board under the administration of the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to provide for membership of such board; to prohibit compensation for such members; to require payment of per diem and travel expenses for such members; to provide for eligibility of claimants; to provide relative to the form of the application; to establish time limits for application; to provide for the powers and duties of the board; to authorize the promulgation of rules and regulations by the board; to authorize public hearings for determination of compensation; to authorize payment of compensation upon findings by the board that such payment is justified; to authorize emergency awards at the discretion of the board and under certain circumstances; to limit the amount of such emergency awards; to create the Wrongfully Incarcerated Compensation Fund; to create the crime of fraudulent procurement or counseling fraudulent procurement of compensation from the fund and provide penalties for such crime; to authorize payment of attorney fees; to limit the amount of such fees; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 60 by Senator Fields

AMENDMENT NO. 1

On page 2, line 25, following "of a" and before "child" change "dependant" to "dependent"

AMENDMENT NO. 2

On page 5, line 15, following "R. S. 15:" and before "shall" change "743(A)(2)" to "743(2)"

AMENDMENT NO. 3

On page 6, line 4, following "Subsection" and before "of" change "(B)" to "B"

AMENDMENT NO. 4

On page 6, line 29, following "it" and before "payable" insert ", "

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed Senate Bill No. 60 by Senator Fields

AMENDMENT NO. 1

On page 3, line 12, change "eleven" to "five" and after "members" insert ", appointed from each Public Service Commissions district,"

AMENDMENT NO. 2

On page 3, delete lines 13 and 14

AMENDMENT NO. 3

On page 3, line 15, change "(b)" to "(a)"

AMENDMENT NO. 4

On page 3, line 17, change "(c)" to "(b)"

AMENDMENT NO. 5

On page 3, line 19, change "(d)" to "(c)" and change "Eight" to "Three"

AMENDMENT NO. 6

On page 3, line 23, after "confirmation." delete the remainder of the line and line 24

On motion of Senator Fields, the amendments were adopted.

The bill was read by title. Senator Fields moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Jones
Boissiere	Gautreaux, B	Marionneaux
Chaisson	Gautreaux, N	McPherson
Cravins	Holden	Ullo
Duplessis	Irons	
Dupre	Jackson	
Total—16		

NAYS

Adley	Dardenne	Malone
Amedee	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Hainkel	Romero
Cain	Hollis	Schedler
Cheek	Kostelka	Theunissen
Total—18		

ABSENT

Bajoie	Lentini	Smith
Heitmeier	Nevers	
Total—5		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Fields, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Rules Suspended

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 65—

BY SENATORS ELLINGTON, BARHAM, KOSTELKA AND SMITH
A RESOLUTION

To memorialize the United States Congress to oppose the proposed federal funding cuts to maintenance and operation of locks and dams along the Ouachita and Black River navigational system.

On motion of Senator Ellington, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 66—
BY SENATOR HOLDEN

A RESOLUTION

To urge and request the citizens of the state of Louisiana to buy fresh locally grown produce.

On motion of Senator Holden, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 96—
BY SENATORS SCHEDLER, BOASSO AND HAINKEL AND REPRESENTATIVES CROWE AND SCHNEIDER

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Judge Gary J. Dragon.

The resolution was read by title. Senator Schedler moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	McPherson
Barham	Fontenot	Michot
Boissiere	Gautreaux, B	Mount
Cain	Gautreaux, N	Romero
Chaisson	Hainkel	Schedler
Cheek	Holden	Theunissen
Cravins	Irons	Ullo
Dardenne	Jackson	
Duplessis	Jones	
Total—31		

NAYS

Total—0

ABSENT

Bajoie	Hollis	Nevers
Boasso	Lentini	Smith
Heitmeier	Marionneaux	
Total—8		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 6, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 303—

BY REPRESENTATIVES R. CARTER AND MCVEA AND SENATOR NEVERS

AN ACT

To enact R.S. 30:2154(B)(2)(g), relative to solid waste; to provide for the authority of the secretary of the Department of Environmental Quality; to provide for the registration and permitting of certain solid waste facilities in St. Helena Parish; and to provide for related matters.

HOUSE BILL NO. 728—

BY REPRESENTATIVES BRUNEAU, ARNOLD, GALLOT, LANCASTER, MONTGOMERY, MURRAY, PITRE, AND SMILEY

A JOINT RESOLUTION

Proposing to amend Article IV, Section 3(A) and to add Article IV, Section 3(E) of the Constitution of Louisiana, to change the date of the election of the governor and the other officials elected at the same time as the governor; to provide for the terms of office of such officials; to provide relative to statewide elections in odd-numbered years; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 991—

BY REPRESENTATIVE FUTRELL

AN ACT

To enact R.S. 32:414.2(A)(9), relative to commercial driver's licenses; to provide relative to operating records of commercial drivers; to require certain violations and judgments be included on a commercial motor vehicle driver's operating record; to provide relative to the definition of "conviction"; to provide relative to certain notice requirements; and to provide for related matters.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 303—

BY REPRESENTATIVES R. CARTER AND MCVEA AND SENATOR NEVERS

AN ACT

To enact R.S. 30:2154(B)(2)(g), relative to solid waste; to provide for the authority of the secretary of the Department of Environmental Quality; to provide for the registration and permitting of certain solid waste facilities in St. Helena Parish; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 728—

BY REPRESENTATIVES BRUNEAU, ARNOLD, GALLOT,
LANCASTER, MONTGOMERY, MURRAY, PITRE, AND SMILEY

A JOINT RESOLUTION

Proposing to amend Article IV, Section 3(A) and to add Article IV, Section 3(E) of the Constitution of Louisiana, to change the date of the election of the governor and the other officials elected at the same time as the governor; to provide for the terms of office of such officials; to provide relative to statewide elections in odd-numbered years; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 991—

BY REPRESENTATIVE FUTRELL
AN ACT

To enact R.S 32:414.2(A)(9), relative to commercial driver's licenses; to provide relative to operating records of commercial drivers; to require certain violations and judgments be included on a commercial motor vehicle driver's operating record; to provide relative to the definition of "conviction"; to provide relative to certain notice requirements; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 6, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 163—

BY REPRESENTATIVE MARCHAND

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Vivienne Blair of New Orleans.

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVES WINSTON AND DURAND

A CONCURRENT RESOLUTION

To continue and provide with respect to the Task Force on Legal Representation in Child Protection Cases created in the 2003 Regular Session pursuant to House Concurrent Resolution No. 44.

HOUSE CONCURRENT RESOLUTION NO. 128—

BY REPRESENTATIVES WINSTON, CURTIS, DOERGE, DORSEY,
DURAND, GRAY, E. GUILLORY, KATZ, LABRUZZO, McDONALD,
STRAIN, WADDELL, AND WALKER

A CONCURRENT RESOLUTION

To continue the implementation of the "No Wrong Door" plan authorized by Act 726 of the 2003 Regular Session and in addition, to allow the Joint Legislative Committee on the Budget and any involved executive departments an opportunity to review the "No Wrong Door" plan and its implementation and provide written comments to the Department of Social Services by September, 2004.

HOUSE CONCURRENT RESOLUTION NO. 90—

BY REPRESENTATIVE TOWNSEND

A CONCURRENT RESOLUTION

To urge and request the Louisiana Supreme Court to study and make recommendations for a uniform and streamlined procedure for expungement of criminal records.

HOUSE CONCURRENT RESOLUTION NO. 99—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the City Council of New Orleans to review the City Domicile Ordinance of the Code of the City of New Orleans and to consider amending it to permit any qualified resident of the state of Louisiana to be employed at the Louis Armstrong International Airport.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVES WINSTON AND DURAND

A CONCURRENT RESOLUTION

To continue and provide with respect to the Task Force on Legal Representation in Child Protection Cases created in the 2003 Regular Session pursuant to House Concurrent Resolution No. 44.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 90—

BY REPRESENTATIVE TOWNSEND

A CONCURRENT RESOLUTION

To urge and request the Louisiana Supreme Court to study and make recommendations for a uniform and streamlined procedure for expungement of criminal records.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 99—
BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the City Council of New Orleans to review the City Domicile Ordinance of the Code of the City of New Orleans and to consider amending it to permit any qualified resident of the state of Louisiana to be employed at the Louis Armstrong International Airport.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 128—
BY REPRESENTATIVES WINSTON, CURTIS, DOERGE, DORSEY, DURAND, GRAY, E. GUILLORY, KATZ, LABRUZZO, MCDONALD, STRAIN, WADDELL, AND WALKER

A CONCURRENT RESOLUTION

To continue the implementation of the "No Wrong Door" plan authorized by Act 726 of the 2003 Regular Session and in addition, to allow the Joint Legislative Committee on the Budget and any involved executive departments an opportunity to review the "No Wrong Door" plan and its implementation and provide written comments to the Department of Social Services by September, 2004.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 163—
BY REPRESENTATIVE MARCHAND

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Vivienne Blair of New Orleans.

The resolution was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

**TRANSPORTATION, HIGHWAYS, AND
PUBLIC WORKS**

Senator Ellington, Chairman on behalf of the Committee on Transportation, Highways, and Public Works, submitted the following report:

May 6, 2004

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

SENATE BILL NO. 520—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 32:771(2)(b), (4), (12), and (13), and 773.2(A)(1), and to enact R.S. 32:773.1(C), 773.2(A)(3), (G), and (H), relative to marine product dealers; to provide for definitions; to provide for unlawful acts; to provide for marine dealer/manufacture/distributor agreements; to provide for voluntary termination of a marine dealers business; to provide

for procedures regarding disputes between marine dealers and marine manufacturers and distributors; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 765—
BY SENATORS ADLEY AND CAIN
AN ACT

To amend and reenact R.S. 32:71(B) and 73(1), and to enact R.S. 32:73.1, relative to traffic violations; to require an operator of a motor vehicle when overtaking and passing another vehicle to pass on the left and to return to the right lane after passing the vehicle; to provide for penalties; to provide relative to an operator of a motor vehicle that remains or travels in the left lane when not actively passing another vehicle; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 811—
BY SENATOR SMITH
AN ACT

To amend and reenact R.S. 36:511 and 801.1(D) and R.S. 38:2337 and to enact R.S. 36:511.1 and R.S. 38:2325(C), relative to the public contracts; to provide for the application of public bid and contract and procurement activities by certain state agencies; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 831—
BY SENATOR ELLINGTON
AN ACT

To authorize and provide for the sale and transfer of certain state property from the Department of Transportation and Development to the town of Winnsboro in Franklin Parish; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 841—
BY SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 48:250.2(A), (C), and (D), to enact R.S. 48:250.3, and to repeal R.S. 48:250.2(B), relative to contracts let by the Department of Transportation and Development; to provide relative to design-build contracts; to remove certain limitations of the design-build program; to authorize the department to construct certain projects included in the Transportation Infrastructure Model for Economic Development program using the design-build method; to provide relative to procedures regarding the design-build method; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 79—
BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 38:301(A)(3), relative to the authority of levee boards; to authorize the construction of bicycle paths and

walkways along the main line levees of the Mississippi River in St. Bernard Parish; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 107—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 34:1(B)(3), relative to the Port of New Orleans; to provide relative to nominations for membership on the board of commissioners of the Port of New Orleans; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 139—

BY REPRESENTATIVES HUTTER, BEARD, DANIEL, DOVE, DOWNS, ERDEY, FANNIN, M. GUILLORY, LAMBERT, PITRE, M. POWELL, SMILEY, TUCKER, ALARIO, ALEXANDER, ARNOLD, BALDONE, BAUDOIN, BROOME, BRUCE, CAZAYOUX, CROWE, DAMICO, DARTEZ, DEWITT, DOERGE, DORSEY, DURAND, FARRAR, FAUCHEUX, FRITH, FUTRELL, E. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HUNTER, JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, MARCHAND, MCDONALD, MONTGOMERY, MORRELL, MURRAY, ODINET, PIERRE, PINAC, T. POWELL, QUEZAIRE, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, GARY SMITH, JACK SMITH, JOHN SMITH, STRAIN, THOMPSON, TOWNSEND, WALKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT

AN ACT

To amend and reenact R.S. 47:463.4(D) and 463.11(E), relative to motor vehicle special license plates; to require the Department of Public Safety and Corrections to issue mobility impaired hang tags to persons with or receiving disabled veterans special license plates; to provide relative to fees, renewals, and replacements for such hang tags; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 393—

BY REPRESENTATIVES ANSARDI, BOWLER, DAMICO, LABRUZZO, LANCASTER, MARTINY, SCALISE, TOOMY, AND TUCKER AND SENATORS BOISSIERE, HAINKEL, HOLLIS, LENTINI, AND ULLO

AN ACT

To amend and reenact R.S. 34:1(B)(2), relative to the Port of New Orleans; to provide relative to nominations for membership on the port's board of commissioners; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

Rules Suspended

Senator Boissiere asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 728 from the Committee on Retirement.

SENATE BILL NO. 728—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:102(B)(3)(d), 542(A), (B), (C)(1)(introductory paragraph), and (D), and 883.1(A), (B), (C)(1)(introductory paragraph), and (D), to provide relative to payment of unfunded accrued liabilities of the Louisiana State Employees' Retirement System and of the Teachers' Retirement System of Louisiana; to provide for amortization of unfunded accrued liabilities in over a thirty-year period from the time of occurrence; to include negative employee experience account balances in the unfunded accrued liability; to provide for experience account credits; to provide for an effective date; and to provide for related matters.

On motion of Senator Boissiere, the bill was read by title and withdrawn from the files of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 6, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills has been properly enrolled:

SENATE BILL NO. 24 (Duplicate of House Bill No. 112)—
BY SENATOR THEUNISSEN AND REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 48:1002(A) and (B)(1), relative to the Monkey Island Ferry; to rename the Monkey Island Ferry located in Cameron Parish to the Dr. Martin Luther King, Jr. Ferry; and to provide for related matters.

SENATE BILL NO. 500—

BY SENATOR LENTINI AND REPRESENTATIVES WALKER AND ANSARDI

AN ACT

To amend and reenact Code of Civil Procedure Art. 2411(B), relative to garnishment; to provide relative to required documents for such action; to include a notice of seizure as a required document; to provide for time limitations in which to obtain garnishment judgments; to provide for loss of the effect of seizure; and to provide for related matters.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

May 6, 2004

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bill:

SENATE BILL NO. 276 (Duplicate of House Bill No. 51)—
BY SENATOR ADLEY AND REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 33:1994(F), relative to minimum wages and maximum hours of firemen; to provide that the city of Bossier City may establish a work shift cycle in excess of forty-two hours weekly for operators of fire alarm systems; to provide for overtime hours and pay for such operators; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Adjournment

Senator Fontenot moved that the Senate adjourn until Monday, May 10, 2004, at 5:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 5:00 o'clock P.M. on Monday, May 10, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk

